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EXAMINER

NEURAUTER, GEORGE C

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2143

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/037,867	Applicant(s) PARRY, TRAVIS J.	
	Examiner George C. Neurauter, Jr.	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 1-9 and 11-44 are currently presented and have been examined.

In view of the appeal brief filed on 26 December 2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-9, 11-30, 32, and 34-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6 812 962 B1 to Fredlund et al.

Regarding claim 1, Fredlund discloses a method of automated posting of an image, the method comprising:

transferring an image to a printer (column 1, lines 28-48, specifically lines 30-32 and 40-45); and printing the image on

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the printer (column 1, lines 28-48, specifically lines 32-34 and 40-47) and automatically posting the image to a network site via a communication device in response to the communication device receiving the image (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58).

Fredlund does not expressly disclose wherein a printer automatically posts the image to a network site in response to receiving the image, however, Fredlund discloses that the communication device may be more complex than embodied in the specification (column 7, lines 19-20) by adding features to the communication device to create a multi-functional device (column 7, line 66-column 8, line 2).

It would have been obvious to one of ordinary skill in the art to modify the teachings of Fredlund wherein the communication device has the ability to print images just like a printer as disclosed in Fredlund since Fredlund expressly suggests such a modification as shown above. Fredlund's disclosures regarding printers and their associated functions would cause one of ordinary skill in the art to have a reasonable expectation of success of such a modification. Therefore, Fredlund reasonably suggests wherein a printer automatically posts an image to a network site in response to

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receiving the image as claimed and it would have obvious to one of ordinary skill in the art to achieve the claimed invention.

Regarding claim 2, Fredlund discloses the method of claim 1, comprising defining a communication path between the network site and a communication device. (column 6, lines 19-42, specifically lines 27-34; column 8, lines 18-58)

Fredlund does not expressly disclose defining a communication path between the network site and the printer, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 3, Fredlund discloses the method of claim 2, wherein defining a communication path includes defining a network communication link including an Internet communication link. (column 6, lines 1-18 and 27-42; column 8, lines 5 and 18-58)

Regarding claim 4, Fredlund discloses the method of claim 2, wherein defining the communication path between the network site and a communication device includes registering the network site with the communication device. (column 6, lines 1-18; column 7, lines 19-32)

Fredlund does not expressly disclose defining the communication path between the network site and the printer

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includes registering the network site with the printer, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 5, Fredlund discloses the method of claim 2, wherein defining the communication path includes registering the network site with a communication device, and wherein registering the network site includes defining the network site to be a website. (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32)

Fredlund does not expressly disclose defining the communication path includes registering the network site with the printer, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 6, Fredlund discloses the method of claim 5, wherein defining the communication path further includes defining a unique address associated with the website, and registering the website address with a communication device. (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32)

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Fredlund does not expressly disclose registering the website address with the printer, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 7, Fredlund discloses the method of claim 6, wherein defining the website address includes defining the unique address associated with the website as an IP address. (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32)

Regarding claim 8, Fredlund discloses the method of claim 2, wherein defining the communication path between the network site and a communication device includes defining the communication device to include a posting system controller and a web access mechanism, including a network interface. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61- column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose defining the communication path between the network site and the printer includes defining the printer to include a posting system controller and a web access mechanism, including a network interface, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with

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printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 9, Fredlund discloses the method of claim 8, wherein a communication device automatically posts the image to the network site via the posting system controller and the web access mechanism. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the printer automatically posts the image to the network site via the posting system controller and the web access mechanism, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 11, Fredlund discloses the method of claim 1, wherein transferring the image to the printer includes the printer receiving the image via a cable link, a wireless link, CD ROM, or a removable memory. (column 1, lines 40-48)

Regarding claim 12, Fredlund discloses the method of claim 1, wherein the printer receiving the image includes removing the removable memory from a digital camera and inserting the removable memory into the printer. (column 1, lines 40-48)

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Regarding claim 13, Fredlund discloses the method of claim 12, wherein the printer receiving the image via the removable memory includes defining the printer to include a removable memory port, and wherein the printer receiving the image includes receiving the image via the removable memory port.

(column 1, lines 40-48)

Regarding claim 14, Fredlund discloses the method of claim 1, wherein automatically posting the image to the network site includes registering a communication device with the network site. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; specifically column 7, lines 33-49; column 8, lines 18-58)

Fredlund does not expressly disclose automatically posting the image to the network site includes registering the printer with the network site, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 15, Fredlund discloses the method of claim 14, wherein registering a communication device with the network site includes defining a communication device network address, and wherein defining the communication device network address includes defining a unique address associated with the

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communication device and registering the communication device network address with the network site. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose registering the printer with the network site includes defining a printer network address, and wherein defining the printer network address includes defining a unique address associated with the printer and registering the printer network address with the network site, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 16, Fredlund discloses the method of claim 15, wherein defining the network address includes defining the unique address associated with a communication device as an IP address. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose defining the network address includes defining the unique address associated with a communication device as an IP address, however, this claim is rejected since the suggestions of Fredlund to have a modified

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communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 17, Fredlund discloses the method of claim 1, wherein a communication device automatically posting the image to the network site includes defining a posting criterion, and wherein defining the posting criterion includes defining posting options for posting the image to the network site. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the printer automatically posting the image to the network site includes defining a posting criterion, and wherein defining the posting criterion includes defining posting options for posting the image to the network site, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 18, Fredlund discloses the method of claim 17, wherein defining the posting criterion further includes defining a sender interface, and wherein defining the posting criterion includes defining the posting criterion via the sender

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interface. (column 7, line 50-58; column 8, line 59-column 9, line 11)

Regarding claim 19, Fredlund discloses the method of claim 17, wherein defining the posting options includes at least one of registering sender information, network information, printing options, and posting options. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 20, Fredlund discloses the method of claim 14, wherein registering a communication device with the network site includes registering a sender to post the image to the network site. (column 7, line 61-column 8, line 2, specifically column 7, lines 33-49)

Fredlund does not expressly disclose registering the printer with the network site includes registering a sender to post the image to the network site, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 21, Fredlund discloses the method of claim 19, wherein registering the sender information includes providing a username and a password of the sender, and the

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communication device network address for a communication device.

(column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Fredlund does not expressly disclose providing the printer network address for the printer, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 22, Fredlund discloses the method of claim 5, wherein defining the network site to be a website includes selecting the website via a sender interface and registering the website with a communication device via the sender interface. (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32; column 7, line 50-58; column 8, line 59-column 9, line 11)

Fredlund does not expressly disclose registering the website with the printer via the sender interface, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 23, Fredlund discloses the method of claim 19, wherein registering the printing options includes selecting

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at least one of a file format input, a file format output, a print medium size, a print medium type, a number of copies, a printing layout, a color printing option, and a finishing option. (column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 24, Fredlund discloses the method of claim 19, wherein registering the posting options includes selecting at least one of a delivery, a method, a gallery, an image size, and attributes. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 25, Fredlund discloses the method of claim 1, wherein automatically posting the image to the network site includes sending an e-mail to the network site with the image as an attachment. (column 6, lines 1-10)

Regarding claim 26, Fredlund discloses the method of claim 1.

Fredlund does not expressly disclose wherein the printer automatically posting the image to the network site includes defining the posting of the image to the network site as a direct transfer via a File Transfer Protocol (FTP), however, Fredlund does disclose wherein a communication device automatically posts the image to the network site includes

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defining the posting of the image to the network site as a direct transfer via Hypertext Transfer Protocol (HTTP) (column 6, lines 1-18 and 27-42; column 8, lines 5 and 18-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fredlund since the reference suggests that other protocols may be used in order to post an image to the network site (column 9, line 65-column 10, line 2). In view of these suggestions and teachings shown above, one of ordinary skill would have found it obvious to modify the reference so that the application layer file transfer protocol or "FTP" is used to post the image to a network site since it was within the knowledge and level of one of ordinary skill in the art at the time the invention was made to use FTP as a file transfer protocol in order to effect the transfer of data using the methods as disclosed and suggested in Fredlund since Fredlund discloses that any protocol may be used to transfer the data. Since both HTTP and FTP are known protocols for transferring data, one of ordinary skill in the art would have reasonably expected a successful use of FTP in the place of HTTP in order to transfer the images.

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Claim 26 is also rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 27, Fredlund discloses the method of claim 1, wherein the printer automatically posting the image to the network site includes defining the posting of the image to the network site as a direct transfer via Hypertext Transfer Protocol (HTTP). (column 6, lines 1-18 and 27-42; column 8, lines 5 and 18-58)

Regarding claim 28, Fredlund discloses a system for automated posting of an image to a network site, the system comprising:

a printer configured to receive the image for printing (column 1, lines 28-48, specifically lines 30-32 and 40-45) and print the image (column 1, lines 28-48, specifically lines 32-34 and 40-47) and wherein a communication device automatically posts the image to a website (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58) according to a predefined posting criterion in response to receiving the image. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58)

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Fredlund does not expressly disclose wherein the printer automatically posts the image to a website.

Claim 28 is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 29, Fredlund discloses the system of claim 28, wherein the printer includes a removable memory port.

(column 1, lines 40-48)

Regarding claim 30, Fredlund discloses the system of claim 28, wherein a communication device includes a posting system controller, an embedded web access mechanism and a sender interface allowing the communication device to automatically post the image to the website. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the printer includes a posting system controller, an embedded web access mechanism and a sender interface allowing the printer to automatically post the image to the website, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

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Regarding claim 32, Fredlund discloses the system of claim 30, wherein the embedded web access mechanism allows a communication device to communicate with the network site regardless of the network site's operating platform. (column 6, lines 1-18 and 27-42; column 8, lines 5 and 18-58)

Fredlund does not expressly disclose wherein the embedded web access mechanism allows the printer to communicate with the network site regardless of the network site's operating platform, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 34, Fredlund discloses the system of claim 28, wherein a communication device is configured to communicate with the website via a network communications link for automatically posting the image to the network site. (column 6, lines 19-42, specifically lines 27-34; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the printer is configured to communicate with the website via a network communications link for automatically posting the image to the network site, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device

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with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 35, Fredlund discloses the system of claim 30, wherein the sender interface includes a field for defining posting criterion. (column 7, line 50-58; column 8, line 59-column 9, line 11)

Regarding claim 36, Fredlund discloses the system of claim 35, wherein the sender interface posting criterion includes at least one of a delivery option, a gallery option, and an image size field. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 37, Fredlund discloses a system for automated posting of an image to a network site, the system comprising:

a printer and a system controller configured to receive the image (column 1, lines 28-48, specifically lines 30-32 and 40-45) and print the image (column 1, lines 28-48, specifically lines 32-34 and 40-47) and wherein a communication device includes a system memory having predefined posting criterion stored therein (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58) and the communication device

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automatically posts the image to a website according to the predefined posting criterion in response to receiving the image. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the printer has a system memory having predefined posting criterion stored therein or automatically posting the image to a website.

Claim 37 is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 38, Fredlund discloses a computer-readable medium having computer-executable instructions for performing a method of automated posting of an image to a network site, the method comprising:

transferring an image to a printer; (column 1, lines 28-48, specifically lines 30-32 and 40-45) and printing the image on the printer (column 1, lines 28-48, specifically lines 32-34 and 40-47) and a communication device automatically posts the image to a network site via the communication device in response to receiving the image. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

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Fredlund does not expressly disclose wherein the printer automatically posts the image to a website.

Claim 38 is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 39, Fredlund discloses a sender interface for use in automatically posting an image, which is printed to a printer, to a network site, comprising:

a communication device having printing options for selecting print criterion; (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32; column 7, line 50-58; column 8, line 59-column 9, line 11) and posting options for selecting posting criterion for posting the image to the network site. (column 7, line 50-58; column 8, line 59-column 9, line 11)

Fredlund does not expressly disclose wherein the sender interface is on a printer for printing the image on the printer in response to receiving the image for printing, however, Fredlund does disclose that the sender interface is on a communication device. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58)

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Claim 39 is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 40, Fredlund discloses the system of claim 39, wherein the printing options include at least one of a file format input, a file format output, a print medium size, a print medium type, a number of copies, a print layout, a color printing option, and a finishing option field. (column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 41, Fredlund discloses the system of claim 39, wherein the posting options include at least one of a delivery, a gallery, and an image size field. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49 and 50-58; column 7, line 61-column 8, line 2; column 8, line 18-column 9, line 11)

Regarding claim 42, Fredlund discloses the system of claim 39, further comprising at least one of a sender information category that identifies the sender (column 7, line 61-column 8, line 2, specifically column 7, lines 33-49) and a network information category that allows registration of the network site with a communication device (column 6, lines 1-18; column 7, lines 19-32).

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Fredlund does not expressly disclose registration of the network site with the printer, however, however, this claim is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Regarding claim 43, Fredlund discloses the method of claim 1, wherein automatically posting the image to the network site includes posting the image to the network site via a network communications link according to a predefined posting criterion. (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58)

1. Claims 31, 33, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fredlund in view of "ImageWeb Integrated Printer Web Server" ("ImageWeb").

Regarding claim 31, Fredlund discloses the system of claim 30, wherein the posting system controller includes a processor, a memory, device-specific hardware, and input/output circuitry; and wherein embedded web access mechanism includes a network interface. (column 6, lines 19-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 18-58)

Fredlund does not expressly disclose wherein the embedded web access mechanism includes a printer web page and a printer

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web server, however, "ImageWeb" does disclose these limitations (page 1, left column, specifically "Image Web incorporates a Web server directly into the printer...")

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of these references since "ImageWeb" discloses that using a web server and web page with a sender printer simplifies printer tasks and allows the printer to be configured directly using a sender interface (page 1, left column, specifically "ImageWeb is designed to simplify many printer administrative and printing tasks by providing an easy-to-use point-and-click interface..."). In view of these specific advantages and that the references are directed to using embedded web access mechanisms within the sender printer, one of ordinary skill would have been motivated to combine these references and would have considered them to be analogous to one another based on their related fields of endeavor and reasonably expected a successful combination of the teachings and suggestions of the references.

Regarding claim 33, Fredlund and "ImageWeb" disclose the system of claim 31.

Fredlund does not expressly disclose wherein the printer web server is adapted to generate the printer web page, wherein

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the printer web page is configured to provide the sender interface, and wherein the sender interface is configured to provide a control communications link to the posting system controller for defining a posting criterion.

"ImageWeb" discloses wherein the printer web server is adapted to generate the printer web page, wherein the printer web page is configured to provide the sender interface, and wherein the sender interface is configured to provide a control communications link to the posting system controller (page 1, left column, specifically "ImageWeb is designed to simplify many printer administrative and printing tasks by providing an easy-to-use point-and-click interface..."; page 2, left column, specifically "Features supported through this interface include...Print a single image...Set printer captions...Setting user preferences").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fredlund and "ImageWeb" wherein the sender interface is configured to provide a control communications link to the posting system controller for defining a posting criterion since "ImageWeb" suggests that criterion may be defined regarding the network configuration of the sender printer (page 2, image "3. Administration", specifically "Network Configuration"). In view

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of these suggestions and teachings shown above, one of ordinary skill would have found it obvious to modify the reference so that the defining of posting criterion disclosed in Fredlund can be accomplished within the sender interface disclosed in "ImageWeb" and would have reasonably expected a successful combination of these teachings and suggestions.

Regarding claim 44, Fredlund discloses a communication device for automated posting of an image to a network site, the communication device comprising:

an embedded web access mechanism including a network interface configured to communicate with the network site regardless of the network site's operating platform; (column 6, lines 1-42, specifically lines 23-26; column 7, line 61-column 8, line 2; column 8, lines 5 and 18-58)

a posting system controller configured to automatically post the image to a website according to a predefined posting criterion in response to receiving the image (column 6, lines 19-42, specifically lines 23-26; column 7, lines 33-49; column 7, line 61-column 8, line 2; column 8, lines 18-58), the posting system controller including a processor, a memory, device-specific hardware, and input/output circuitry; and

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a sender interface (column 6, lines 1-18, specifically lines 1-10; column 7, lines 19-32; column 7, line 50-58; column 8, line 59-column 9, line 11).

Fredlund also discloses a printer having a system controller for receiving an image (column 1, lines 28-48, specifically lines 30-32 and 40-45) and printing the image (column 1, lines 28-48, specifically lines 32-34 and 40-47), however, Fredlund does not expressly disclose this functionality within the communication device or wherein a printer contains the embedded web access mechanism, posting system controller, or the sender interface.

Claim 44 is rejected since the suggestions of Fredlund to have a modified communication device with printing capability as shown in claim 1 are applicable to this claim.

Fredlund does not expressly disclose wherein an embedded web access mechanism including a printer web page and a printer web server and wherein the printer web server is adapted to generate the printer web page, wherein the printer web page is configured to provide the sender interface, and wherein the sender interface is configured to provide a control communications link to the posting system controller for defining the posting criterion.

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"ImageWeb" discloses an embedded web access mechanism including a printer web page and a printer web server (page 1, left column, specifically "Image Web incorporates a Web server directly into the printer...")

"ImageWeb" also discloses wherein the printer web server is adapted to generate the printer web page, wherein the printer web page is configured to provide the sender interface, and wherein the sender interface is configured to provide a control communications link to the posting system controller (page 1, left column, specifically "ImageWeb is designed to simplify many printer administrative and printing tasks by providing an easy-to-use point-and-click interface..."; page 2, left column, specifically "Features supported through this interface include...Print a single image...Set printer captions...Setting user preferences").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of these references since "ImageWeb" discloses that using a web server and web page with a sender printer simplifies printer tasks and allows the printer to be configured directly using a sender interface (page 1, left column, specifically "ImageWeb is designed to simplify many printer administrative and printing tasks by providing an easy-to-use point-and-click

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interface..."). In view of these specific advantages and that the references are directed to using embedded web access mechanisms within the sender printer, one of ordinary skill would have been motivated to combine these references and would have considered them to be analogous to one another based on their related fields of endeavor and reasonably expected a successful combination of the teachings and suggestions of the references.

It also would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fredlund and "ImageWeb" wherein the sender interface is configured to provide a control communications link to the posting system controller for defining a posting criterion since "ImageWeb" suggests that criterion may be defined regarding the network configuration of the sender printer (page 2, image "3. Administration", specifically "Network Configuration"). In view of these suggestions and teachings shown above, one of ordinary skill would have found it obvious to modify the reference so that the defining of posting criterion disclosed in Fredlund can be accomplished within the sender interface disclosed in "ImageWeb" and would have reasonably expected a successful combination of these teachings and suggestions.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is 571-272-3918. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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